

ENVIRONMENTAL PROTECTION AGENCY

[OPP-36187; FRL 4080-3]

Prior Informed Consent Information-Sharing Program; Notice of Participation

AGENCY: Environmental Protection Agency (EPA, or the Agency).

ACTION: Notice.

SUMMARY: This notice announces that EPA is participating in an international information-sharing program sponsored by the United Nations (U.N.) called the Prior Informed Consent (PIC) procedures. The EPA has submitted to the U.N. PIC Program two lists of chemicals which are either "banned" or "severely restricted" in the United States. The first, a list of pesticide chemicals, and the second, a list of industrial and consumer chemicals, are available from the Agency. These two lists represent chemicals against which regulatory actions have been taken, to date, that EPA believes meet the criteria established by the U.N. for inclusion under the PIC procedure. EPA's inventory of banned and severely restricted pesticides was transmitted to the U.N. on April 27, 1992. EPA's inventory of banned and severely restricted industrial and consumer chemicals was transmitted to the U.N. on May 27, 1992. The U.N. will now decide whether the candidate chemicals submitted by the EPA will be entered into the international PIC procedures.

ADDRESSES: EPA's submission, as well as background information on the PIC program, is available for inspection in the Office of Pesticide Programs' public docket, Rm. 1103, Crystal Mall #2, 1921 Jefferson-Davis Highway, Arlington, VA. Telephone: (703) 305-5454, as well as in the TSCA Public Docket Office, Office of Pollution Prevention and Toxics, Room NEG004, 401 M St., SW., Washington, DC., under Administrative Record AR071. Telephone: (202) 260-7099.

FOR FURTHER INFORMATION CONTACT:

Questions related to industrial and consumer chemicals may be directed, by mail to: Jim Willis, Office of Pollution Prevention and Toxics, TS-778, United States Environmental Protection Agency, Washington, DC 20460. Office location: East Tower, Rm. 415, 401 M St., SW., Washington, DC. Telephone: (202) 260-3489. Fax: (202) 260-8168. For information related to pesticides contact, by mail: Daniel J. Rosenblatt, Office of Pesticide Programs, H7501C, United States Environmental Protection Agency, Washington, DC 20460. Office

location: CM #2, Rm. 1115, 1921 Jefferson-Davis Highway, Arlington, VA. Telephone: 703-305-7102. Fax: 703-305-6244.

SUPPLEMENTARY INFORMATION: *Electronic Availability:* This document, and the list of chemicals that EPA has nominated to the U.N. PIC Program is available as an electronic file on *The Federal Bulletin Board* at 9 a.m. on the date of publication in the *Federal Register*. By modem dial 202-152-1387 or call 202-512-1530 for disks or paper copies. This file is available in Postscript, Wordperfect 5.1 and ASCII. The list of chemicals is available in Wordperfect 5.1 and ASCII.

The PIC program is designed to promote the safe management of chemicals through the establishment of a communications network among governments on the international trade of pesticides and industrial and consumer chemicals that have been banned or severely restricted in order to protect human health or the environment. PIC is based on the principle that a banned or severely restricted compound should not be exported to a country contrary to the wishes of a competent national authority in the country of destination. Under PIC, importing countries will be provided with a mechanism for indicating whether future shipments of banned or severely restricted compounds will be allowed, restricted, or prohibited. The program is expected to be especially useful for developing countries.

The concept of informed consent was incorporated into two existing international agreements in 1989. These two documents, the "Code of Conduct on the International Trade and Use of Pesticides," and the "London Guidelines on the Exchange of Information on Chemicals in International Trade," were drafted by the U.N. in order to establish an information-sharing procedure among governments and to provide baseline standards and recommendations related to the marketing, packaging, and use of chemical products in international trade.

The United Nations Environment Programme (UNEP) and the Food and Agriculture Organization (FAO) are jointly responsible for the development and administration of the PIC procedure. UNEP has the lead for industrial and consumer chemicals. FAO is chiefly responsible for the portion of the PIC program related to pesticides. UNEP's, International Register of Potentially Toxic Chemicals (IRPTC), is responsible for the actual

implementation of the procedures on behalf of both UNEP and FAO.

One of the initial tasks before the U.N. in initiating the PIC procedure was to establish a network of national officials responsible for pesticides and industrial and consumer chemicals. These responsible bodies are known as designated national authorities (DNAs). EPA's Assistant Administrator for Prevention, Pesticides, and Toxic Substances is the DNA for the United States. There are currently 110 countries participating in the procedure, who have identified 146 DNAs.

Based on the criteria established for selection of a compound in the "Code of Conduct" and the "London Guidelines," as well as information available to the U.N. on previous control actions taken with regard to a chemical at the national level, the U.N. has chosen six pesticides for the initial PIC list. These pesticides and their corresponding Chemical Abstract Service (CAS) numbers are listed in the table below.

Pesticide	CAS No.
aldrin	309-00-2
BHC	608-73-1
DDT	50-29-3
dieldrin	60-57-1
dinoseb and its salts	88-85-7, 6365-83-9, 485-31-4, 8048-12-2, 53404-43-6, 35040-03-6, 6420-47-9
fluoracetamide	640-19-7

DNAs have been provided with chemical fact sheets known as decision guidance documents for each of these pesticides. Each fact sheet describes the chemical and its use patterns, characterizes the effects of exposure, and explains why the compound was chosen to be listed on either the banned or severely restricted list. The fact sheets are designed to assist those countries that are participating in the PIC procedure as an importing nation in determining under what conditions, if any, future shipments of the chemical would be appropriate. EPA's submission of banned and severely restricted pesticides and industrial and consumer chemicals will be used by the U.N. for considering the addition of new compounds to the PIC list. The U.N. has informed EPA that an additional group of compounds will be added to the PIC list in late 1992.

This notice is the first of what EPA envisions will be regular public announcements regarding the PIC procedure. One communication mechanism EPA is considering is the use of the *Federal Register* as a means

for informing the public about decisions of importing countries on specific banned and severely restricted pesticides and industrial chemicals. In that vein, EPA will also ensure that the public docket on PIC is up-to-date. Precise communication mechanisms will be the subject of periodic meetings

with industry, environmental groups, and other interested parties.

EPA recognizes that it would be useful to hear the views of outside parties that are expected to participate in the PIC program. Thus, EPA has met and will continue to meet on an informal basis with interested persons. Groups or individuals interested in

meeting with Agency representatives should contact the Agency at the addresses provided earlier in this notice. Minutes or records of such meetings will be added to the public docket, as appropriate.

At the conclusion of these informal meetings, EPA also intends to hold a public forum on international notification and the PIC procedures. The purpose of this meeting will be to discuss U.S. involvement--that of government, industry and the public--in the PIC process, as well as the Agency's international notification programs under FIFRA and TSCA. Experience gained from the first-hand

implementation of PIC in the upcoming months, as well as information provided to the Agency in the informal meetings described above, will contribute to the development of a final U.S. position on the implementation of PIC. The date and location of the public forum will be published in the **Federal Register**.

Dated: November 24, 1992.

Linda J. Fisher,

*Assistant Administrator for Prevention,
Pesticides and Toxic Substances.*

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